

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2012-139029-001 DT

05/05/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT  
K. Sotello-Stevenson  
Deputy

STATE OF ARIZONA

DIANE M MELOCHE

v.

MICHAEL DEAN DAVIS (001)

MICHAEL DEAN DAVIS  
#077904 ASPC YUMA DAKOTA  
PO BOX 8940  
SAN LUIS AZ 85349  
JANELLE A MCEACHERN  
RODRICK S CARTER  
JAMES LEO LOGAN

COURT ADMIN-CRIMINAL-PCR  
COURT REPORTER ADMINISTRATOR  
ELECTRONIC RECORD SERVICES

**INITIATION OF RULE 32 PROCEEDING FOLLOWING A PLEA  
APPOINTMENT OF COUNSEL  
BRIEFING SCHEDULE SET**

The Court has received a Rule 32 Notice of Post-Conviction Relief file on January 27, 2016. Defendant also requests the appointment of counsel. Pursuant to the defendant's Affidavit of Indigency, the Court finds the defendant is indigent.

**IT IS ORDERED** as follows:

- 1) Janelle McEachern is appointed to represent the defendant.
- 2) Trial counsel shall produce the defendant's entire file, including transcripts if in counsel's possession, to PCR counsel for review and copying no later than May 20, 2016. Trial

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counsel shall file a Notice of Compliance of such no later than May 20, 2016. The Notice of Compliance shall include an itemized list of what constituted "the file."

3) The following court reporter(s) shall prepare transcripts of the following proceedings:

ERS and the Court Transcription Service (AVTrans or Verbatim Reporting & Transcription, LLC)	Settlement Conference (April 16, 2015)
Janell Rose	Change of Plea Proceeding (April 17, 2015)
Antoinette Salazar	Sentencing Proceeding (January 8, 2016)
Antoinette Salazar	Change of Plea Proceeding (August 6, 2015)

Transcript shall include any Group Advisement.

4) The original transcript(s) shall be filed with the Clerk's Office no later than July 5, 2016. A copy shall be provided to the defendant.

5) Costs to prepare these transcripts shall be paid by Maricopa County.

6) The court reporter shall file the transcript(s) in accordance with court policy. The court will then notify counsel by email and/or in writing when all transcripts have been filed. Should defense counsel not receive a transcript after notification that the transcript has been filed, counsel should contact the Rule 32 Management Unit.

7) A copy of all pleadings filed in this matter shall be served only upon the Rule 32 Management Unit until this matter is assigned to a judge for ruling.

8) The Petition for Post-Conviction Relief shall be filed within 60 days of the date all transcripts have been filed.

9) The State's Response to the Petition shall be filed within 45 days after the Petition is filed.

10) The defendant may file a Reply within 15 days after the Response is filed.

11) When all pleadings have been filed, the matter will be assigned to the appropriate judicial officer to determine whether to dismiss the Petition summarily, set it for an informal conference, or set an evidentiary hearing. Rule 32.6(c), 32.7, 32.8, Arizona Rules of Criminal Procedure.

cc: Court Reporter(s): Janell Rose; Antoinette Salazar

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